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REPORTER'S RECORD

VOLUME 43 OF 44 VOLUMES

TRIAL COURT CAUSE NO. 07-CR-885-B

- - - - - x
:
STATE OF TEXAS : IN THE DISTRICT COURT
:
VS : 138th JUDICIAL DISTRICT
:
MELISA ELIZABETH LUCIO : CAMERON COUNTY, TEXAS
:
- - - - - x

JURY TRIAL - DEFENDANT'S EXHIBITS 13-18

BILL OF PARTICULARS NO. 1

From the 30th day of June, 2008, till the 7th of
July, 2008, the following State's Exhibits were offered or
admitted before the Honorable **Arturo C. Nelson**, Judge
Presiding, and a petit jury, held in Brownsville, Cameron
County, Texas.

Proceedings reported by computerized stenotype
machine.

FILED IN
COURT OF CRIMINAL APPEALS

AUG 06 2009

Louise Pearson, Clerk

ORIGINAL

A P P E A R A N C E S

APPEARING FOR THE STATE:

HON. ALFREDO PADILLA, JR.
State Bar No. 15404600
& HON. JOSEPH KRIPPEL
State Bar No. 24007515
& HON. MARIA DE FORD
State Bar No. 24043626
Assistants to the Criminal District Attorney
Cameron County Courthouse
974 E. Harrison Street
Brownsville, Texas 78520
Telephone: (956) 544-0849
Fax: (956) 544-0869 Fax

APPEARING FOR THE DEFENDANT:

HON. PETE GILMAN
State Bar No. 07952500
6933 N. Expressway
Olmito, Texas 78575
Telephone: (956) 350-6954
Fax: (956) 350-8056

APPEARING FOR THE DEFENDANT:

HON. ADOLFO E. CORDOVA, JR.
State Bar No. 00787286
Law Office of Adolfo E. Cordova, Jr.
711 North Sam Houston
San Benito, Texas 78586
Telephone: (956) 399-1299
Fax: (956) 399-4484

INDEX OF EXHIBITS

DEFENDANT'S EXHIBITS:

NO.	DESCRIPTION	OFFERED	RECEIVED	VOL
13	*Villanueva's CV	143	144	35
14	*CPS Case History	143	144	35
15	*CPS Investigation/Lucio	143	144	35
16	*CPS Info/Melissa	143	144	35
17	*CPS Info/Mariah	143	144	35
18	*CPS Info/	143	144	35

* - ALL OF THESE EXHIBITS WERE ADMITTED UNDER THE BILL OF PARTICULARS NO. 1

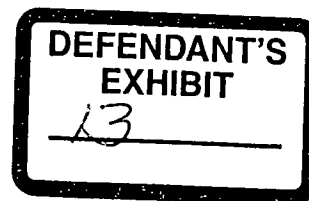
07-CR-885-B
STATE VS.

MELISSA
E.

LUCIO

B, U OF
PARTNERS

Dx# 13-18



Curriculum Vita

Personal: Norma Villanueva
P O Box 5538
Mc Allen, Texas 78502
956-638-7875

Business: Modern View Clinical Services
3215 W. Alberta
Edinburg, Texas 78539
956-630-4214

Education:

Bachelors of Social Work;	1980; Our Lady of the Lake University
Masters of Social Work,	1985; Our Lady of the Lake University
Biofeedback Certification Training Course,	1990, U. T. Arlington
Doctoral Learner	Fall/2007, Capella University, in progress

Professional Credentials:

Licensed Masters Social Worker-Advanced Clinical Practitioner, (LMSW-ACP);
As of 9/03 new credential is (Licensed Clinical Social Worker (LCSW)
Board Diplomate in Clinical Social Work (BDCSW);
Board Certified Fellow in Managed Care (BCFMC) ;
Academy of Certified & Qualified Social Workers (ACSW) and (AQSW);
Board Certified Diplomate Forensic Specialist/Examiner
Recognized LCSW Supervisor, Texas Dept. of Health, Social Work Licensure Board

Professional Expertise:

Clinical Experience: Psychotherapy and clinical evaluations for Individual, Family, and Group in the areas of stress related disorders, PTSD and traumas, cultural factors in clinical work, chronic mental illness and psychosis, high risk families, evaluation for secondary gain and malingering, chronic pain, critical incident stress debriefing, and involuntary clients.

Clinical Quality Review and Oversight services: for agencies and clinicians

Specialty Forensic Services include mental health/status evaluations and treatment for defendants/offenders, evaluations and treatment for dependent personalities, trauma victims and victims of crime, custody studies and home studies/social studies, and mitigation on capitol. offenses and felonies.

Specialty Evaluations/Services : victims of crimes, ergonomics and human factors engineering.
Lecturer, Adjunct Faculty and Visiting Professor Status.

Languages:

Spanish: fluent in verbal, writing, and reading.

Professional Work History:

- * 1980-1982, Social Worker; M.D. Anderson Hospital, Houston, Texas;
- * 1982-1993, Social Work Manager/Clinic Administrator: Hidalgo- Starr Rehabilitation Clinic, McAllen, Texas;

- * 1990- Present, Private Practitioner: Solis & Associates; McAllen
- 1997 to Present, New expansion of Private Practice: Solis & Associates; Cameron County
- * 2006, Name change to Modern View Clinical Services

Employee Assistance Contracts 1988-1999

Sheppard Pratt Psychiatric Hospital EAP, Baltimore, Maryland, EAP SYSTEMS of Bethany Medical Center, Kansas City, CNR Health; Eules, Texas; Medical College of Wisconsin, Milwaukee, Wisconsin; Plan 21, Houston, Texas; Family Crisis Center, Intellicall, Dallas, Texas; Interface EAP, Houston, Texas
Interface EAP, Houston, Texas

Federal Contracts

- 2002 - 2004 Department of Veterans Affairs Vocational Rehabilitation Program— offer counseling services for Veterans who are disabled and receiving vocational services.
- 1999 – 2004 National CISD Team member: Critical Incident Impact team for disasters to assist on site with trauma victims
- 1996 - 2006 Department of Veterans Affairs - Vet Center McAllen, Social Work Contract, for Post Traumatic Stress Disorder Readjustment Counseling, Cameron & Willacy Counties
- 1994 - 1998 U.S. Marshals, Fairfax, Virginia, Area Clinician, Duties included Critical Incident Debriefing, Crisis Intervention, Assessment, Short term psychotherapy, and referral. Through contract with Little, Gaffney & Associates.
- 1993 - 1998 Drug Enforcement Administration, Fairfax, Virginia, Area Clinician, Duties: Critical Incident Debriefing, Crisis Intervention, Assessment, Short Term Intervention, Referral, Assessment of Risk and Dangerousness. Through contract with Little, Gaffney & Associates
- 1993 - 1994 Department of Veterans Affairs, McAllen, Texas Out Patient Clinic, Persian Gulf Family Support Program, Duties: Assessment, Individual, Family, and Group Intervention, Program development and promotion, collect and analyze RGV incidence of Persian Gulf Syndrome, PTSD; and mental health issues related to service. PSTD readjustment counseling services,

State of Texas Contracts

Current Contracts

- 2006-Present Child Protective and Regulatory Service Contract, Supervised Visits provider, for Cameron, Willacy, Starr, Hidalgo, and Zapata counties
- 2002-Present Child Protective and Regulatory Service Contract, Rio Grande Valley wide, HSEGH provider, for four county area (Health, Social, Economic, Genetic, History evaluations)

2002-Present Child Protective and Regulatory Service Contract, Rio Grande Valley wide, Social Study, Court Ordered Home Study provider, for Cameron, Willacy, Starr and Hidalgo counties

1999 - Present Texas Rehabilitation Commission, Rio Grande Valley wide, Mental Health Vendor, contract services to provide mental health services to program recipients.

1998 – Present Texas Attorney general Crime Victims Services

1992 - Present Specialty Custody and Home Studies for presentation in Federal Family and Immigration Court, private and public adoptions.

1992 - Present Specialty Custody and Home Studies for presentation in Family Court, private and public adoptions.

2000 – Present Consultant Texas Defender Service for Mitigation Specialist Activities

Past Contracts

2005 – 2006 Spaulding for Children, conduct adoption home studies.

2000 - 2006 Child Protective and Regulatory Services Contract, Rio Grande Valley wide, Supervised Visit provider, for four County area. (Hidalgo, Cameron, Willacy, Starr).

1999 - 2003 Child Protective and Regulatory Services Contract, Rio Grande Valley wide, Convener, provide convener function for all Permanency Planning Meetings, to include quality control, compliance with federal and state mandates/laws, and clinical oversight in the Four County area.

2003 – 2005 Contract Trainer, Protective Services Training Institute on subject of Trauma and Family Violence.

Local Contracts

Current Contracts

2005-Present: Hidalgo County Head Start, Mental Health Services - Provide classroom observations, clinical evaluations and counseling for the children and families.

2001-Present MADD, Rio Grande Valley Clinical mental health contractor for CISD, Counseling, and training services

2000-Present Edinburg ISD – Clinical consultants and treatment providers for mental health services to students and families. Specialty crisis intervention services integral service.

2000-Present Pharr-San Juan-Alamo ISD – Clinical consultants and treatment providers for substance abuse and mental health services to students and families. This includes work with the Crime and Drug Prevention Program for PSJA.

1996-Present Mitigation services for capitol offenses through referrals from defense attorneys.

1994 - Present Vanity Fair Intimates, McAllen, Texas Employee Assistance Program Manages and Clinicians, Duties include program management and promotion, assessment, intervention, supervisory training and development, specialty substance abuse assessment and intervention. In 1998 contract expanded to include Mission plant.

Past Contracts

2003-2005: Hidalgo ISD- provide assessment and counseling services for children, youth, and families.

2002 -2004: Referrals from Hidalgo and Cameron Counties adult and juvenile probation to include JCCC. Interventions include mental health and substance abuse evaluations, anger management, substance abuse prevention and intervention, behavior modification.

2001-2002 Family Outreach – Clinical mental health contractor for mental health intervention to high risk families. These are home based services.

1999 - 2003 National Alliance for the Mentally Ill (NAMI) South Texas Chapter, Consultant, provide pro-bono specialty mental health consultation in program and service planning.

1999 - 2003 Leading Our Volunteers Education, Hidalgo County, non-profit,, Consultant, provide pro-bono specialty mental health consultation in program and service planning.

1996 - 1998 Mission Hospital Specialty Rural Health Clinics, Social Work Contract, development of social work services in all rural health clinics and provided social work services. Contract to develop the social work component of services, provide and undertake quality review of social work direct and clinical services.

1996 - 1998 Corazones Unidos, Support Group Facilitator, Support group for McAllen, Harlingen, and Brownsville HIV/AIDS patients.

1996 - 1998 Behavior and Wellness Center, Pain Management Services, contract to develop the pain management services offered within the facility.

1995 - 1996 All Valley Home Health, Social Work Contract, provided clinical and medical social work services.

1994 - 1995 Coastal Home Health, Social Work Contract, provided clinical and medical social work services.

1993 - 1997 City Of Mission, Behavioral Ergonomic Analyst, conducted the pre-employment testings on all city workers to include fire fighters and police.

1993 - 1996 City of McAllen, Behavioral Ergonomic Analyst, conducted the pre-employment testings on all city workers to include fire fighters and police.

Teaching Experience:

Guest Lecturer: UT Pan American: Social Work Department

July 1998

U.T. Pan American, Physician Asst. Program

April 1990 - 1992

Pan American University, Social Work Department

August 1990	U.T. Pan American, Social Work Dept.
April 19, 1990	U.T. Pan American, Social Work Dept.
January and February 1988	Pan American University, Social Work Dept.
July 20, 1987	Pan American Health Series Cancer Section
1985 - 1987	Pan American University
Adjunct Faculty: U.T. Pan American University, Social Work Department	
Fall 2008	2 MSSW Students
Spring 2007	Rehabilitation Counseling Interns
Spring 2005	2 MSSW Students
	BSW Program- Practice I
Fall 2004	BSW Program Practice I
Spring 2004	BSW Program, Practice I
	2 MSW Interns
Spring 2003	1 MSW Intern
	BSW Program, Practice I
Fall 2003	BSW Program, Practice I
	1 BSW Intern
	Intro to SW
Spring 2003	2 nd Year MSSW student
	BSW Program, Practice I
Spring 1995	BSW Program, Intro to SW
Fall 2002	BSW Program, Practice I
Spring 2002	2 nd Year 2 MSSW Students
	BSW Program, Practice II
Spring 2001	2 nd Year MSSW Student
Spring 2000	2 nd Year MSSW Student
Spring 1998	U.T. Brownsville, Social Work
Spring 1998	BSW Program, Practice III
Fall 1997	BSW Program, Policy
Fall 1995	BSW Program, Policy

Visiting Professor: Universidad Nacional Autonoma de Mexico, Mexico, D.F.

June 1994	Universidad Nacional Autonoma de Mexico, Mexico, D.F.
	2 week (80 hour) Advance training course for clinical faculty.

March 1993	Universidad Nacaional Autonoma de Mexico, Mexico, D.F.
	2 week (80 hour) Diplomado Course for social workers and other mental health professionals

Institute Faculty: Protective Services Training Institute

Spring 2002-2005	Texas State Protective and Regulatory Services Training Institute Instructor; Train on topic of Children and Trauma
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Visiting Faculty:

October 1997	Centro Interamericano de Estudios de Seguridad Social (CIESS), Mexico, D.F. . Two week (80 hour) course for physicians and mental health professionals
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November 1995	Centro Interamericano de Estudios de Seguridad Social (CIESS),
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Mexico, D.F. . Two week (80 hour) course for physicians and mental health professionals.

Professional Presentations (invited and refereed):

National Association of Social Workers – Professional State and National Conferences; 2007, 2006, 2004, 2003, 2001, 1995, , 1993, 1992, 1991 , 1990, 1987
 NASW/Texas, Invited Speaker, PTSD and the Iraq and Afghan Experience
 NASW/Texas, RGV Unit, Critical Incident Debriefing Training, November 16, 2001
 NASW/Texas, Crimes Victim Services Training, February and March 2001
 Casa Amparo Project 1999, 2000, 2001 Sexual Abuse Training
 Texas Medical Association; 1991, 1989, 1988, 1987
 Biofeedback Society of Texas; 1990, 1988
 InterUniversity Consortium on International Social Development; 1997, 1995
 National Network For Women's Funds; 1993
 Texas Nursing Association (RGV Branch); 1990,1987
 Hidalgo-County Personnel Managers Association, 1990, 1989
 Sociedad de Factores Humanos y Ergonomia de Mexico, 1990
 Asociacion de Trabajadoras Hospitalarios, Ciudad Victoria, 1998
 Primer Congreso Regional de Medicina del Trabajo, Asociacion Tamaulipeca de Medicina del Trabajo; 1997
 Sociedad de Medicina del Trabajo, Estado de Veracruz, 1997

Professional Activities:

2008 – Present Appointed to NASW/TX, Chair Social Work Reinvestment Committee
 2007 –Present Appointed to NASW/TX, Immigration Committee on Inquiry
 2007 – Present Elected, National Association of Social Workers, RGV Chairperson
 2007 – Present Appointed to NASW/TX, Executive committee
 2002 –Present Appointed Lower Rio Grande Development Council, Criminal Justice Advisory Committee member, grant review committee.
 20001-Present Appointed National Clinical Council Board, Texas Liaison, NASW National.
 2000 - 2004 Board of Cardona International Marketing; Health Related Services
 1999 - 2004 Appointed Advisor of National Alliance for the Mentally Ill South Texas
 1994 - 1996 Elected Nominations and Leadership State Chairperson, NASW/Texas Chapter.
 1994 - 1995 Appointed National Council on Clinical Social Work, NASW National.
 1993 - 1994 Appointed Nominations and Leadership State Chairperson, NASW/Texas Chapter.
 1993 - 1996 Appointed Advisory Council of Social Work Certification, Texas Department of Human Services.
 1992 - 1996 Appointed Research Committee Chairperson of Texas Society of Clinical Social Work.
 1992 - 1993 Appointed Chairperson Insurance and Vendorship Committee, NASW/Texas Chapter.
 1991 - 1993 Appointed Insurance and Vendorship Committee, NASW/Texas Chapter. Nominated as Committee's selection to Advisory Board Texas State Board of Insurance.

- 1990-1992 Appointed to Continuing Education Committee of Biofeedback Society of Texas.
- 1989 - 1990 Appointed Chairperson of Occupational Social Work Task Force of NASW/Texas Chapter.
- 1988 - 1989 Appointed to Texas state Continuing Education Committee of Biofeedback Society of Texas.
- 1988-1989 Elected Co-Chair Texas Breast Screening Project of American Cancer Society Dis. 17.
- 1987 - 1988 Task Force Member of Lutheran Social Service Family Caring Center/Centro de Compadrazco.
- 1992 - 1996 Appointed Managed Care Committee Chairperson of Texas Society of Clinical Social Work.
- 1987 - 1988 Elected Co-Chair Texas Breast Screening Project for American Cancer Society
- 1986 - 1989 Appointed to Occupational Social Work State Task Force for NASW/Texas.
- 1986 - 1989 Elected Leadership and Nominations representative for NASW/Texas, South Texas Unit.
- 1986 - 1989 Elected Chairperson Political Action Committee NASW/Texas South Texas Unit
- 1986 - 1988 Appointed Field Service Committee of American cancer Society District 17.
- 1986 - 1988 Elected President for American Cancer Society Upper Valley Unit. Dist. 17.
- 1985 - 1986 Elected Provisional Chairperson for NASW/Texas South Texas Unit.
- 1984 - 1986 Elected District Rehabilitation and Service Trainer for American Cancer Society, District 17.

Research:

- 1991 Third Place Research Award, Texas Medical Association, "Compensation Mind frame: Fact or Fiction". Malingering study.
- 1991 First Place Research Award, Texas Medical Association, "Lifting Techniques and the L5-S1 Intervertebral Disc". Psychophysical effects on technique and malingering
- 1989 Texas Medical Association, EMG Scanning: A Tool for Objective Pain Categorizing". Study on malingering and secondary gain issues in chronic pain.
- 1989 Honorable Mention Award, Scientific Paper Presentation, Biofeedback Society of Texas, "Occupational Ergonomics & Biofeedback: A Partnership for the Future". Psychophysical effects on health and intervention, to include emotional overlays to symptoms.
- 1987 First Place Research Award, Texas Medical Association, "Physical Medicine and Rehabilitation Management of Low Back Pain - A Three Year Study. Malingering and mental health effects on symptoms.

Honors:

- 1994 Appreciation Award from Rio Grande Valley Persian Gulf Veterans Organization
- 1992 Social Worker of the Year, NASW, South Texas Unit
- 1987 Volunteer Leadership Award, American Cancer Society
- 1986 Social Worker of the Year, NASW, South Texas Unit

CPS Case History:

Annotation that case history not fund under Impact but was documented under the Case ID# 24168149.



Case ID	Date	Report	Who	Case Worker Investigator	Disposition
15051867 (1)	Dec 21, 1995	Neglectful Supervision (NSUP)	Daniela, Alexandra, Selina, John, Melissa	None noted	Ruled Out
17061540-1996 (2)	No Date	NSUP by unknown AP	Melissa, Daniela, John, Alexandra, & Selena	None noted	Ruled Out closed
2347736 (3)	June 6, 1998	NSUP by Melissa Lucio, mother	Danielle Lucio, Rene Alvarez	None noted	Ruled out with factors controlled
24168149 /Unit 24 (4)	11/9/00, P1	PHAB by Melissa Lucio, mother Baby born positive for cocaine.	Gabriel	Maria B. Monreal, IFPS	RTB, Risk Indicated Case open to Intensive Family Preservation (11-30-00to4-29-01)
24168149 (5)	Nov 9, 2001	PHNG: Melissa Lucio and Robert Alvarez	Alexandra, Selina, Rene, Robert, Gabriel, Richard, Daniela, Melissa, John	Cristina Villanueva	Ruled Out, factors controlled Case closed
SAME	Dec 11, 2001				
24168149 P2 (6)	May 22, 2002	NSUP: Melissa and Alvarez	Gabriel 15yroid SB/UK	Julia Trevino	UTD, Risk indicated Family Preservation (8/16/02-6/04/03)
24168149/Unit (7)	May 29, 2003	PHAB, SXAB: Robert Alvarez		Martha Cano	UTD, Factors controlled Case closed
24873585/Unit (8)	June 13, 2003	NSUP, PHAB	Richard, Robert, Adriana, Gabriel, Sarah	Martha Cano	
25044136/Unit P2 (9)	Jan 16, 2004	NSUP, PHNG	Gabriel, Robert, Richard	Rebecca L. Olivarez	RTB, factors controlled Case closed
25251984/Unit P2(10)	Aug 24, 2004	NSUP & PHNG	Daniela and Mariah	Illa A. Delagarza	RTB, Risk indicated Removal/subcare

Case Details:

Intake	Investigation	Services	Case Detail/Concerns
(4) 24168149 : Mrs. Lucio and Gabriel tested + cocaine 11-08-00	No prenatal care, 5lb 10ounces, Admitted use and yes to test	Intensive Family Preservation Services. SA Tx: New Beginnings Ind Tx, Fam Tx, Parenting, Homemaker Drug tests negative No complete parenting Melissa Daniela Ind TX Mother no find work Mr. Alvarez odd jobs: continued financial probes Case closed	"Uncle Richard used drugs and drank", Financial and family problems, No water/neighbor Floor heaters: danger No inquiry as to Uncle Richard No determination if Gabriel Placed out voluntarily. It Appears he left home. No info as to Ms. Lucio drug Usage and if children present No info on friends name nor Info to mom to keep him away
(5)24168149: Family Homeless Park next to Zavala Elementary School giving family food Refusal to go to shelter OV and SBs ask relative for food and denied help 11-09-01 P2	No Action taken	No Action taken	No Action taken
24168149: Family Homeless 12-11-01 (6 wks homeless) Park next to Zavala Elementary School giving kids food and hygiene Refusal to go to shelter cause locked at 8 am Mother refusing to better situation despite help from concerned individuals	2 referrals merged. Interviewed five children Selena /Richard: Dom Violence Between parents, & finances Selena: Beer and pot Fridays Alvarez: hit buttocks, hand, head Lived off on with relative Richard: stayed at park Lisa Camacho: gave shelter Daniela Melissa w/Mat GM Esperanza Trevino		R/O for PHNG Case closed. No action on first call. Not all children interviewed Even named victims No ask about drug or testing No contact with Mr. Lucio No interview to assess care of Children by parents

	Intake	Investigation	Services	Case Detail/Concerns
	24168149 continued	Mo blamed no child support from Mr. Lucio Adults denied Dom Violence Mr. Alvarez stated Ms. Lucio Depressed, to point of give up He make no effort to get job School principal: saw Dom Viol Home old unclean		
(6) 24168149 / P2 Gabriel in street chasing cars	15 Yr old having sex w/13 and 14 year olds (neighbors) Mother said mind own business Water off for one month Home: unclean Less food children wt down Food stamps for marijuana Neighbors smell marijuana Daniela: younger ones no listen to mom Alvarez in jail for child support Robert: cuss, go out window Rich, Rene, Selena, Melissa: Not interviewed Lucio not paying child support Melissa: out till a.m. Daniela: with 20 & 30 yr olds Melissa went eat w/one above John caught with roach Mother no want talk about birth Control	John sent to Pathways In-home services: Monitoring, parenting, contract (elect, gas), food stamps, Medicaid. Alvarez back in home: odd jobs as gardener Lucio: PT job Harl Sport Complex Melissa (14) attended church John (12) regular school House clean	Daniela: not clear if asked about sexual contacts Interviews of Rich, Rene, Melissa, Selina not found Alvarez: in jail for child support Allegation drug use but no drug test. Case closed: risk being reduced to acceptable level	

Intake	Investigation	Services	Case Detail/Concerns
<p>24168149/Unit (7) 5-29-03 Melissa made sexual outcry On 5-21-03: touched over clothing by Alvarez ran away , at juv detention facility. Alvarez picked her up. He reached over in care and started to touch her. Sex abuse only happens away from home Ms Lucio unaware of sex abuse Sat 5-25-03: Melissa left and no return till Sun a.m.. Alvarez interrogated. He punched arm and head. Bruise: left arm.(50 cent size) green and purple. Melissa ran away again on Sun Due to PHAB. Parent no file Report. SB's left home due to PHAB. SB's ran away Sun. 5-29-03 1:57 pm Melissa picked up shoplifting Mervins: steal baby shoes 73.00 not detained. Released to GP. Report # 036677 Class A Assault.</p>	<p>Selena, Alexandra, Rene, Daniela and John interviewed. Noted behave probs with Melissa. she made up SXAB, friend, caused bruise Daniela: Melissa stay with guy Off on Sarah, Adriana, Gabriel, Robert, and Richard observed Not interviewed. Dirty Dressed inappropriate Lucio denied allegations. Melissa never alone w/Alv Lucio: Melissa sex w/boys Stated Lucio never alone With Melissa Hx of drug arrest. Denied Drug use, refuse drug test Esperanza Trevino got Melissa Left home next day Mel said boyfriend did bruise Made up SXAB to leave him</p>		<p>UTD for SXAB & PHAB of Melissa by Alvarez Case closed Opened under subsequent referral No collaterals contacted to Verify how parents cared for Children. No notification to Mr. Lucio The absent father.</p>
<p>24873585/Unit, P1 06/13/03 (8) NSUP of Richard, Robert, Adriana, Gabriel & PHAB Sarah + cocaine Mother admitted to Valley Baptist. Gave birth to Sarah 9:12pm. Both + for cocaine</p>	<p>Lucio denied allegations No interviews with children, Copies of previous ones No prenatal care Melissa tested by probation + for marijuana Notified to place out 6 younger children: placed with Ms.</p>	<p>Risk Indicated: Open case for Moderate Family Preservation 7-03-03 – 7-16-04 Case RTB for PHAB of Sarah Case opened for Services Lucio and younger children to</p>	<p>No current interview with kids One from 5-29-03 inserted In structured narrative of case No observation of Sarah No notification to Lucio the Absent father re: investigation Case closed without the Investigation if we addressed</p>

<p>Sarah weighs 5 lb .8oz 6-11-03: Lucio asked neighbor for cigarette. Insisted this source of drugs. None since 2000.</p>	<p>Alejandro. Mr. Alvarez refused drug test Follow-up visit" kids at home Said Ms. Alejandro ill Told to place out children Agreed with mother. Calls Made to finalize placement; Lucio no answer nor return calls. Ms. Alejandro stated Lucio called: o' to care for kids, tell CPS you were sick, Give me paper you'll give back the kids. Maternal grandma no can take care of kids: working.</p>	<p>stay with x sister in law. Ms Salazar. Mr. Alvarez stayed in home with older children. Follow-up visit showed Lucio left with kids after 1 week. Lucio contacted/confronted Said Alvarez having probs w/ older kids and she Returned. Decision to leave Lucio with all the kids. Melissa and Daniela w/father In Houston Alvarez in jail for back child Support. Lucio probs: \$ and transportation Lucio behavior probs with Older kids. Contracted in-home serv but they closed out case when not able to locate the family.</p>	<p>Lucio to discuss violation of Safety plan, and kids Remaining in her care. No sign case staffed with legal To discuss family lack of Participation.... No document of how Lucio did w/SA tx nor # of sessions No info on # of drug tests or results Lucio not complying w/inhome Services and transferred to contracted services. No document if staffed with legal Lucio not avail for home visit Unless needed concrete serv "This family needed support systems & monitoring systems in place before considering transferring/closing the case."</p>
Intake	Investigation	Services	Case Detail/Concerns
<p>25044136/Unit (9) 1-16-04, P2 Children unattended outside apt. regularly for several hours Gabriel 4, seen urinating Outside; Children ask neighbors for food Last time 3 days ago Lucio no work, on food stamps 1-13-04 H2O on or off Alvarez gets H2O from comm. Room of apt.</p>	<p>Richard, Robert and Gabriel playing outside with no supervision. Worker there 20 min. Daniela in charge. Kids stated Loaves and Fishes giving food. Kids denied asking neighbors for food, neglect or abuse. No gas for home Did have H2O and electricity. Ms. Lucio denied all allegations but did admit to taking Daniela out of school to help care for kids.</p>	<p>RTB for NSUP of Robert, Richard, and Gabriel.</p>	<p>Melissa, John, Sarah not mentioned in investigation Case closed because in-home was providing services. No indication collaterals interviewed about Lucio's care of children. Neighbors could have been interviewed. No notation absent fathers notified. No note that in-home worker was spoken to.</p>

Older kids n school, at mall Or walking to mall (seen) No supervise younger ones During the day but do in late evening outside.	One time no pick up Rene on time from school cause in Court with John.		
Intake 25251984/Unit (10) 8/24/04, P2 Fighting, yelling, and screaming heard from apartment. Children have called 911 when two adults were fighting. Neighbors have heard children cussed at. Mr. Alvarez was heard yelling "get the fuck back inside you sons of bitches". Older children out so younger children often outside unattended. Children 9 or 10 and younger outside unattended. Two youngest often in diapers often outside unsupervised. Children are dirty, diapers sagging, and often ask neighbors for something to eat. Children seen playing around a pile of wood which has nails. Inside of house filthy. Minimal furniture in the house. Trash all over the home and it smells dirty. Parents have tried to sell their food stamps to people saying they need money for bills. Children are taken to loaves and Fishes every day at 4 to eat.	Investigation Two reports were merged. Eight children interviewed. Seven children had injuries and/or insect bites. All needed bath and change of clothing. Ms. Lucio denied allegations and stated she did yell at children but never foul language. She states she would take children to Loaves and Fishes if she did not feel like cooking. A follow-up visit made regarding second report. Given instant drug test which was positive for cocaine. She admitted to no prenatal care. Children were removed. Mr. Lucio admitted to drinking on the weekends but stated he would stop if children placed with him. Mr. Alvarez admitted to drug use: smoking a roach and using cocaine. He denied allegations of physical neglect. Mariah tested for drugs, came back negative,	Services RTB fir NSUP and PHNG Mariah and Daniella Removal 9-21-04 Second case included NSUP and PHNG of Rene, Richard, Robert, Gabriel, Adriana, Sarah and Mariah by Ms. Lucio and Mr. Alvarez. 9-21-04 to 5-2005. Foster mother reports "survival behavior" on part of all children and they all bed wet at night. Children dove for food and would destroy whatever they had (toys), Gabriel, Adriana, and Robert also urinated on themselves during the day. "Children aggressive to the point of being violent." Mariah had trembling and referred to ECI for developmental delay. Adriana and Sarah also referred to ECI. Robert and Gabriel had no immunizations. Gabriel and Robert told girls at school they wanted to kiss them and have sex with them. Gabriel made sexual advances to sister Adriana. He tried to kiss her	Case Detail/Concerns Interviews with Melissa, Alexandra, Selina and John could not be located. Case reader not sure if these older children were interviewed. Documentation found that Daniela, Alexandra, Selina, and John were placed with their father but no documentation for Melissa. (daughter). No notes to verify if verification made of call to ambulance service as stated by Ms. Lucio. "Good casework practice" would have been to have courtesy check on children in Houston. Mr. Alvarez admitted to drug use and no documentation he was drug tested. No documentation Mr. Alvarez asked about the allegation of arguments with Ms. Lucio which led to physical violence, nor check with law enforcement regarding any calls to home for domestic violence. NO documentation Mr. Alvarez asked about Ms. Lucio caring for the children while admitting to drug use.

<p>Second referral 9-17-04.</p> <p>Mariah born 9-06-04 vaginally at home. Older sibling called 911 but gave wrong address so EMS could not find home. Mariah taken to Valley Baptist Newborn ICU. Ms. Lucio visited 9-08-04, 9-11-04, and called 9-14-04. Mariah ready for discharge 9-17-04 but Ms. Lucio and Mr. Alvarez could not be located. Phones disconnected. Ms. Ucio came for visit 9-17-04 in afternoon for visit. Discharge 9-18-04. Ms. Lucio stated to staff she is overwhelmed with so many children, stated Mr. Alvarez supportive.</p>		<p>private part when Adriana was kneeling to see fish in aquarium. All children needed clothing.</p> <p>Parents started drug testing and parenting classes October 2004 and by November stopped.</p> <p>Parents observed to have no control over children during visits. Parents provided no structure during visits and would allow children to do as they pleased. Adriana fought not to be held by Mr. Alvarez and Gabriel would avoid Mr. Alvarez while showing strong attachment to mother.</p> <p>December 2004 both parents tested positive for cocaine.</p> <p>January 2005, the visits placed on hold because parents lost control of visits. Visits then split into two to divide children. Parents ordered to complete parenting.</p> <p>Maternal aunt expressed interest in placement for a few months but no home study.</p> <p>Maternal grandmother was contacted.</p> <p>Robert sexually acting out in foster home poking other children in the butt at night. Rene caught in a sexual act with Richard. Gabriel continued to sexually act out with children at school,</p>	
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Intake	Investigation	Services cont.	Case Detail/Concerns
		<p>Gabriel would touch girls breasts, go into girls bathroom to look under stalls and ask girls to kiss him. Gabriel acting out with Adriana. He was caught on top of her, humping her. Richard displayed similar actions at school as Gabriel.</p> <p>Foster mother said all children diagnosed with ADHD.</p> <p>All children constantly hungry despite three meals per day.</p> <p>Advocacy center 1-25-05</p>	
Intake	Investigation	Services	Case Detail/Concerns

Lucio Case



Intake	Investigation Completed	Recommended Action	Narrative
12/15/2006	12/15/2006	Melissa E. Lucio other	<p>Household consists of: Melissa E. Lucio, Paramour, 19 yr. old female, 18 yr. old female, 18 yr. old male, 15 yr. old female, 13 yr. old female, 9 yr. old male, 8 yr. old male, 7 yr. old male, 6 yr. old male, 4 yr. old female, 3 yr. old female, 2 yr. old female & grandson (7 or 8 months)</p> <p>* 8 or 9 children in foster care until the last few weeks.</p> <p><u>Issue:</u> housing- family never paid rent deposit or completed all paperwork paramour of client broke lock of electric box to steal electricity and family running extension cord from another apt. Neighbor suspects there is a lot of trash in clients household. Paramour stealing furniture from neighbor apts. Apt when found filthy: urine, mess, filthy children, unsupervised children, 18 yr. old allowed to live in apt. when CPS told him not to have access to children.</p>

Lucio Case

Grandchild, Isaiah Lucio

Intake	Investigation Completed	Recommended Action	Narrative
7/19/2006	8/18/2006	Melissa Lucio Jr. Case closed due to factors controlled	<p>Primary: Rebecca Lee Olivarez, 17 yr. old mother (Melissa), Melissa Lucio stated that her mother's boyfriend gives them marijuana and beer and mother allows Melissa to consume these drugs. 17 yr. old's baby has gone to hospital often, has trouble breathing and has a rash.</p> <p>Provided on 7/27/2006, Horizon Youth- for 17 yr. old mother.</p> <p>Household Description: Melissa Lucio, client's boyfriend (Gilbert), Melissa Jr., sibling, John and 5 month old baby of Melissa Jr.</p> <p>There are holes, spiders, dogs, chickens, goats, and smells inside house. Rats, flies and maggots inside refrigerator. Melissa, Melissa Jr. and Gilbert do drugs: marijuana and beer.</p>

Date	Allegation (s)	Outcome (s)	Comments
12/15/2006		Admin. Closure	Admin closure: On Dec. 15, 2006 report received re: John 18 yr. old living at home and has access to siblings. Family has no electricity, according to CPS worker, Angie Romo, she gave \$600.00 to assist with rent and told Mr. Lucio about John not to have contact with children. Ms. Romo said she has not seen John in the home and says that Lucio, Melissa E. has been cleanform drug tests for approx. 6 months. Also, client's boyfriend clean for 4 or 5 drug tests. And home is somewhat chaotic due to size of the family. Staffed with Maria P. Martinez on-call supervisor) and she advised to document on admin. closure.

Lucio Case

grandchild

Report	Allegation	Person alleged	People Involved	Outcome
2/17/2007	Physical Abuse Physical Abuse Physical Abuse Physical Abuse Physical Abuse Physical Abuse Physical Abuse	Melissa E. Lucio Melissa E. Lucio Melissa E. Lucio Melissa E. Lucio Melissa E. Lucio Melissa E. Lucio Melissa E. Lucio	Mariah Alvarez Alexander Lucio Selina Lucio Rene A. Alvarez Richard Alvarez Robert A. Alvarez Gabriel A. Alvarez Adriana C. Alvarez Sara N. Alvarez	* On 2/17/2007 at approx 6:51 P.M. EMS responded to home due to 2 yr. old turning purple and not being able to breath. Purple bruises were observed on 2 yr. old on chest, stomach and face. * Father last person to find 2 yr. old and called 911 * 2 yr. old transported to VBMC and pronounced deceased due to "homicidal injuries" * Parents report that child's injuries were caused from he child falling down a flight of stairs on 2/16/2007 when family was moving to new apartment at 220 e. Madison. * Child had multiple injuries to vital body areas.

Lucio Case

Lucio Case- Foster Homes

Date (s) Period of stay	Child Name	Foster Parent (s)	Comments
9/21/2004- 7/26/2006	Rene Anthony Alvarez	Mr. & Mrs. Benito Rodriguez	Placed in therapeutic foster home.
9/21/2004- 7/26/2006	Richard Alvarez	Mr. & Mrs. Dunlap	Placed in therapeutic foster home.
9/21/2004- 7/26/2006	Robert Anthony Alvarez	Mr. & Mrs. Dunlap	Placed in therapeutic foster home.
9/21/2004- 7/26/2006	Gabriel B. Alvarez	Mr. & Mrs. Dunlap	Placed in therapeutic foster home.
9/21/2004- 7/26/2006	Adriana C. Alvarez	Mr. & Mrs. Dunlap	Placed in therapeutic foster home/FPS foster home.
9/21/2004- 7/26/2006	Sara N. Alvarez	Mr. & Mrs. Done	
9/21/2004- 7/26/2006	Mariah Alvarez	Mr. & Mrs. Done	

Mr. Alvarez

Date	Allegation (s)	Outcome (s)	Comments
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Lucio Case

10/17/2006	Mr. Alvarez is released from jail due to burglary psychological evaluation done by Xavier "Jay" Martinez 2114 West University Edinburg, TX 78539 #380-1300	<p>Roberto Alvarez D.O.B. 7/23/1970</p> <p>* Referred for psych. Evaluation by CPS for physical neglect and neglectful supervision of their numerous children.</p> <p>Adult with the children, failure to provide adequate outside supervision, unsanitary conditions at home and disregard for proper nutrition of children</p> <p>* lives with common law wife, Melissa Lucio and her 7 children with her.</p> <p>* has a 9 yr. old son from a previous relationship</p> <p>* 2x in jail due to child support</p> <p>* Mr. Alvarez raised by grandma since mother passed away.</p> <p>* has 3 brothers</p>	<p>* finished school p to 8th grade and enrolled in special ed.</p> <p>* currently works as mechanic with friend and landscaping</p> <p>* denied history of medical illness</p> <p>* denied history of mental health treatment</p> <p>* reports use of alcohol on special occasions.</p> <p>* reports history of marijuana, cocaine and sedative (roaches) and hallucinogen.</p> <p>* overall, mild mental deficiencies are indicated</p> <p>* tried to deny common human fault and problems</p> <p>* AXIS I Neglect of Children V 61.21</p> <p>305.60 Cocaine Abuse</p> <p>300.4 <u>Dysthymic</u> Disorder, late onset</p>
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Roberto Alvarez

Report	Allegation	Person alleged	People Involved	Outcome
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Lucio Case

12/15/06	Neglectful Supervision	Roberto Alvarez	Rene Alvarez	Admin. Closure
12/15/06	Neglectful Supervision	Roberto Alvarez	Richard Alvarez	Admin. Closure
12/15/06	Neglectful Supervision	Roberto Alvarez	Robert Alvarez	Admin. Closure
12/15/06	Neglectful Supervision	Roberto Alvarez	Gabriel Alvarez	Admin. Closure
12/15/06	Neglectful Supervision	Roberto Alvarez	Adriana C. Alvarez	Admin. Closure
12/15/06	Neglectful Supervision	Roberto Alvarez	Sara N. Alvarez	Admin. Closure
12/15/06	Neglectful Supervision	Roberto Alvarez	Mariah Alvarez	Admin. Closure
12/15/06	Neglectful Supervision	Roberto Alvarez	Salina Lucio	Admin. Closure
12/15/06	Neglectful Supervision	Roberto Alvarez	Alexander Lucio	Admin. Closure

Lucio Case

Lucio Case-Professional (s) Involved

Date (s) Involved	Name of Individual, Title etc.,	Agency / Service	Comment (s)
	Xavier "Jay" Martinez (Licensed Psychologist)	Psychological Evaluation	Roberto Alvarez-received psychological evaluation
	Dense Porter, (therapist)?		Provides therapy to Gabriel B. Alvarez Provides therapy to Rene Alvarez Treating di _____ to Rene Alvarez for behavior concerns, also treating Richard and Robert
	Laura Garza		Dentist to Richard Alvarez and Robert
	Dr. Gutierrez		Doctor to Gabriel B. Alvarez and Adriana Performed psychological on Adriana Doctor to Sara
	Dr. Erik Valle		Doctor to Robert and Andrew Alvarez at 5 years old.
	Dr. Camacho		Performed psychological evaluation AXIS I.
	Dr. Richard <u>Commill</u>		314.01 ADHD, 313.81 oppositional defiant defender 995.52 Neglect of child (victim) combined type
	Dr. <u>Centomema</u>	80 W. Ocean Blvd. C-3 Los Fresnos (956)233-4400	AXIS II. V71.09 no diagnosis AXIS III. Differed to physician AXIS IV. AXIS V. GAF 55 current
	Dr. <u>Carlen Roman</u>		

Lucio Case

Richard Commill Ph.D.	207 E. Second Street Campasa, TX 78550 (512) 556-0249	<p>Psychological eval included his chaotic and traumatic childhood including reported exposure to neglectful and pathogenic care in his home of origin, his lengthy placement in CPS custody and inadequate support from his biological parents.</p> <p>As per foster mother, about two weeks ago, heard noises and opened their (foster children) bedroom door. She found Richard on all fours and Rene was behind him licking his buttocks. Robert was trying to pull down Richard's underwear. As per foster mother, all three boys were taken to Monica's House where they were interviewed for possible sexual abuse by family members.</p> <p>It ha been discovered that they have been severely neglected by the parents and witnessed sexual contact of the parents on a regular basis also have possible been sexually abused by an older brother John. I observed from family visits to confirm that the mother could not control her children and my theory won correct. I watched in those visits neglect of younger babies, while she was running around after the elder boys, no parenting or mothering skills are evident. It has come to my attention that she is always positive of illicit drugs in her system. These kids will have a chance to make it if they remain in foster care where they are developing positive behavior unlike the biological parents provide. The weakly visits need to stop because they are harmful not helpful to my clients.</p> <p>Unfortunately the children have a lot of behavior modification but there is hope as long as the biological parents are not involved. In my professional opinion, parental right should be terminated, because after this extensive period of time the biological parents have <u>made</u> not the _____ required to deserve their children back.</p> <p>Robert attended counseling session in a somewhat bad mood. Treatment focused on coping abilities. Robert is a victim of sexual abuse and is able to express his feelings about the incident. He is learning that he will be okay and that it is wrong to touch others. More work will be needed in this area.</p> <p>Robert sexually understands why it is important not to touch brother or</p>
1/27/2005	Dona Cackety	CPS?

Lucio Case

	<p><u>Groven C. Lollim</u></p>	<p>Oleimn, yonk & Associates PLLC P.O. Box 720879 McAllen, TX 655-7872</p>	<p>sisters. Unfortunately, contact with biological parents is negative due to siblings watching parents have sex in front of them. Robert attended session in a somewhat negative state. Treatment focused on appropriate behavior; especially stop pretending he is a girl. Robert has picked up in appropriate behavior and some is due to sexual abuse victimization. Robert makes minimal progress but unstable somewhat. Robert attended community session in a somewhat bad state. Treatment focused on improving behavior and learning that pretending to be a girl is not okay. Robert has recently been displaying a lot of feminine behavior which needs to be corrected. More work is needed or no progress is noted at this time.</p> <p>AXIS I. 304.4 Adjustment emotions AXIS II. 799.9 Deferred AXIS III. Name AXIS IV. Victim Abuse AXIS V. GAP 68</p> <p>Treatment goals: #1 Improve behavior #2 Develop positive sexual knowledge #3 Appropriate social skills</p> <p>Robert attended counseling session in a somewhat angry state. Treatment focused o improving decision making skills. Robert is slowly making progress, but frequent visits with biological family create regressive behavior. More work needed</p>
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Lucio Case

	Groven C. Rollins	Rollins, York and Associates PLLC	
11/30/2005	Groven C. Rollins	Rollins, York and Associates PLLC	
9/28/2005		Rollins, York and Associates PLLC	

Lucio Case

1/24/2006		Rollins, York and Associates PLLC	
12/20/2005	Cannot read name	Rollins, York and Associates PLLC P.O.Box 720879 McAllen, TX 78504 #655-4015	
12/31/2004	Cannot read name	Rollins, York and Associates PLLC	
1/31/2006			

Lucio Case

Lucio Case-Foster Parents Notes/Professionals Involved (Robert Alvarez)

Date (s) Involved	Name of Individual, Title etc.,	Agency / Service	Comment (s)
	Mr. & Mrs. Dunlap	Foster parents	<p>Visits with mom and dad very disruptive since mother tells children that they are going home: kids cuss and fight among each other. Mom favors one child over the others. Gabriel fights and hits mom on weekly visits. Mom sends message to foster parents that they should not bring Gabriel to visits anymore and that she does not want him. Robert is encouraged to dance and act like a girl and laugh at him. Mom talks to the visits two older siblings who are not income and who have children of their own and the younger sibling's baby sit these children. Adriana never gets any attention she cries and does her own thing all these negative visits affect the way the kids behave in foster care. Mother tells kids they are going home on every visit and they don't have to listen to foster parents. Bobby angry with foster mom due to having to come home after every visit-aggressive behavior: kicking and calling kids "niggers", pees outside toilet bowl and in shower, bed wets at night, fights with Gabriel over foster ___, gets n Gabriel's bed.</p> <p>Wants to hit everyone, angry, bothers Gabriel and Richard not letting them sleep (jumps from bed to bed). Broken toys, kicks wall, steals toys. Provokes other kids by calling kids names such as "nigger and ___".</p> <p>As per foster mother, Bobby is showing new progress, but he is vile, explosive and aggressive. Continues to wet bed and after he returns from home visits. He is so active because of all the sugary snacks his parents give him that it takes 2 to 3 days for him to calm down and fallow the structure at home.</p> <p>Was providing medications:</p> <p><u>Concenta</u> 36 mg</p> <p><u>Doallp</u> 0.2 mg</p> <p><u>Clomidine</u> 0.1 mg</p>

Lucio Case

Mr. & Mrs. Dunlap	Foster parents	
4/29/2005	Dona Cackley	CPS
4/28/2005	Dr. Gutierrez, Psychiatrist	<p>Counseling to Robert Alvarez</p> <p>AXIS I 314.01 Attention Deficit/ Hyperactivity Disorder. Combined type. 995.5 Neglect of a child V61.20 Parent Child Relational Problem V61.8 Sibling Relational Problem V62.81 Relational Problem NO5 AXIS II V71.09 No diagnosis AXIS III Nom AXIS IV Problems with primary support ____ Problems related to social environment ____ Housing problems: foster home Economic problems: poverty ____ symptom: TDFPS-CPS AXIS V GAF 50 Current</p> <p>*Dunlap family (mother) states that Robert's symptoms have not diminished.</p> <p>*Robert states that he has not played with girl toys since yesterday, he has been respecting other's bodies and property and has not touched or been touched inappropriately by anyone.</p> <p>*According to foster mother, child has had some sexual acting out behaviors with brothers where they ____ on each other...sometimes puts toys under his shirt in his chest area.</p> <p>Robert Alvarez went to school here</p>

Lucio Case

5/19/2005	Dr. <u>Romen</u> Camacho	#233-4709	<p>*Fights with other kids, very possessive of things, hits siblings, cries easily, want to be a girl or he has expressed this.</p> <p>*Oppositional and defiant, aggressive and disorganized. Played with dolls as usual, continues to act out before and after the visit.</p> <p>*it will take time to overcome what he has been through, visits one <u>summingly</u> detrimental to his adjustment to foster care and should be decreased.</p> <p><u>Worker's Impressions:</u> Robert is very close to his older siblings and he is very quiet and shy. Also, he is protective of his younger siblings.</p>
4/12/2005	Dr. Sellons	#233-4400	
	Gary White, M.D.	Brownsville Health Services 954 E. Madison Brownsville, TX #550-9970 Rollins, York and Associates PLLC P.O.Box 720879 McAllen, TX 78504 #655-4015	
12/02/2004	Dr. M. De Fenneine 1418 Beech Ave. Ste.104 McAllen, TX 78501 #688-6229	Psychiatric evaluation	

Lucio Case

7/28/2006	Jesse E. Applewhite, MED.LPC	Burke Foundation #622-9150	
8/5/2006	Jesse E. Applewhite, MED.LPC	Blake Foundation #622-9150	
10/4/2006	Villarreal Elementary Los Fresnos, TX Over the Rainbow	Denis Porter, LPC	
10/6/2006	Over the Rainbow	Denis Porter, LPC	Mrs. Dunlap, foster mother, states that Robert is very hyper, needs to be re directed from fighting with younger siblings, fights for toys, food, etc. Robert has had wetting accidents like his older brothers.

Lucio Case

Lucio Case-Service Plans (Sara N. Alvarez)

Service Plan	Date Submitted	Goal	Narrative
Sara Nicole Alvarez	11/15/2006	Family reunification on alternative family relative adoption	Sara tested positive for cocaine at birth. Mother did not receive prenatal care. Sarah in foster care with the Castillo family. Mrs. Castillo reports Sara putting everything she finds in her mouth. She loves to be carried. She enjoys receiving attention from strangers and tends to run up to them without fear. She does not seem to be able to distinguish between a stranger and familiar faces when it comes to receiving attention. Sara was sick when initially brought to foster care. She had a severe cold, running nose and congestion. She also had numerous throughout her body.

Lucio Case-Services Provided (Sara N. Alvarez)

Date	Who was referred	Type of Service	Referred by and date of referral	Comments
12/8/2005	Sara Alvarez	Due to allergic irritation of eyes taken to: Dr. <u>Asim Zamir</u> 4430 E. 14 th St. Brownsville, TX. 78520 #544-5557		

Lucio Case

Lucio Case-Foster Homes
(Sara N. Alvarez)

Admission Date	Foster Parent (s)	Address & Phone #'s	Comments
9/21/2004	Ramon & <u>Alfonna</u> Castillo	Rt 8 Box 622-8 Brownsville, Tx. 78520	
12/2005	Mr. & Mrs. Castillo	Rt 8 Box 622-8 Brownsville, Tx. 78520	*throws things on the floor *aggressive while playing with peers *very stubborn when re-directed, especially after visits with biological parents. *careless when walking, running indoors, does not pay attention and keeps hitting things that are in the way.

Lucio Case-Professional (s) Involved
(Sara N. Alvarez)

Date (s) Involved	Name of Individual, Title etc.,	Agency / Service	Comment (s)
12/3/2004		ECL	*receiving services for speech and physical therapy. *staff-parent consequence regarding Sara's temper tantrums at school and she does not accept any commands and she does not share toys.
9/16/2005		Head start Program Neighbors in Need of Services(NINOS)	*Sarah demonstrates delays in receptive language development at this time. Expressive abilities appear to be delayed as well. Sarah is communicating her wants and needs by pointing. *recommended speech therapy 2x a month
12/3/2004	Melanie McGrath M.S., CCC-SLP		*Psychiatric evaluation- As can be seen by examining Sara's Vineland score, she evidences mild to moderate deficits in all areas of adoptive functioning. AXIS I: 309.4 Adjustment Disorder, with mixed disturbance of emotions and conduct chronic AXIS II: V71.09 No diagnosis- ruled out borderline intellectual functioning AXIS III: Asthma, by history AXIS IV: Psychosocial include her chaotic and traumatic childhood, her home original, her continued family visits, and inadequate support for her biological

Lucio Case

8/29/2005	Richard Cornell, PH.D.	Psychiatric Evaluation	parents. AXIS V: GAF=65 current * As per foster mother, Sara has been self mutilating by scratching herself on her face when she becomes angry. As per foster mother, Sara has tantrums at school and throws her shoes at others. She takes off her clothes and pulls at her genital area when she is frustrated. She has bitten and hit her teacher at the Head Start.
10/25/2005	Dona Cackley		

Melissa Lucio

Box 1 #2 Part 1

D.O.B.	June 18, 1969
History	Born of Mexican American descendant
Mother	Suffers from osteoporosis
Father	Left the home when Melissa was a child before 8 yrs old. (1976 approx.)
Step-father	Raised Melissa when she was approx. 8-9 years of age.
Siblings	2 sisters (Sonia Chavez lives in Harlingen, doesn't speak to her; Diana Cerda lives in Lyford, TX) 3 brothers (Richard Carr, Rene Trevino, Oly Trevino)
Marriage (s)	1992 Separated from Guadalupe Lucio – he would beat her up. 1996 Met Robert Alvarez and living together. She argues with him.
Behaviors	Depressed because children removed, willing to participate with services to get children back.
Social	5/04 Evicted from home – failure to pay rent. No furniture. Moved in with sister Sonia. Home crowded. 7/04 Rent residence. Have one queen mattress & one sofa. Children slept on the floor with blankets @ night. 9/21/04 TDFPS – drug test administered tested positive for cocaine, but continue to deny using drugs.
Medical	No prenatal care with any of her children.
Other	Admitted use of drugs – Started @ 16yrs of age once only & did not use until pregnant of Gabriel. Stopped for awhile. Used during pregnancy with Sarah – snorted Cocaine 2-3X with a friend (Blanca Garcia who lived across the street)
Religion	Catholic – did not attend services
Employment	None

Roberto Alvarez

D.O.B.	July 23, 1970
History	Born of Mexican American descendant
Mother	Died of a brain tumor upon him being 7 years old (1977)
Father	Upon wife death, lost business & going through depression. Left son under care of his mother – in law until son turned 11 yrs. old. Father never there for Roberto. Father off working, and spent days drinking a lot.
Grandmother	Maternal grandmother raised him at 7 years old till he was 11 yrs old.
Siblings	3 brothers (Ramon, Roy, Ricardo)
Marriage (s)	Met Melissa Lucio 1996 living together since then.
Behaviors	Depressed because children removed, willing to participate with services to get children back.
Social	5/04 Evicted from home – failure to pay rent. No furniture. Moved in with sister- in- law Sonia. Home crowded.
	7/04 Rent residence. Have one queen mattress & one sofa. Children slept on the floor with blankets @ night.
	9/21/04 TDFPS – drug test administered tested positive for cocaine.
Medical	
Other	Admitted use of drugs – on a weekly basis. Preference is crack – cocaine. Smokes it.
	5/04 incarcerated picked up for failure to pay child support
Religion	History of misdemeanor for traffic tickets & child support (arrested for it)
	Catholic – did not attend services
Employment	Odd jobs (mechanical work with friends)
	<ul style="list-style-type: none"> - friends pay with cocaine so can sell to get the money owed to him - friend(s) pick him up when need mechanical work. He has no car stranded over job location until he can hitch a ride back.

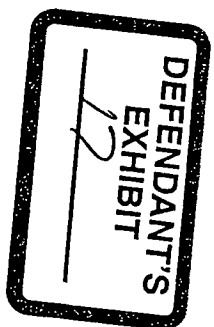
Significant Events

1994	Ms. Lucio reports husband left her
1996	Ms. Lucio & Mr. Alvarez meet & decide to live together
8/24/04	Alleged physical neglect and neglectful supervision. 11 children in home, Melissa pregnant.
9/8/04	Home visit by TDFPS. Children observed with no visible injuries. Children denied any physical discipline & drug use.
9/9/04	Selina & Alexandria questioned by TDFPS @ school. Both denied allegations
9/17/04	2 nd Report alleging newborn in chaotic home environment & over crowded. <ul style="list-style-type: none"> - mother long history of drug use (2 prior pregnancies newborns tested positive @ birth & no prenatal care with any of the children - Melissa Lucio denied cocaine use since June 2003 - Melissa voiced overwhelmed sole caretaker, but father supportive
9/21/04	2 nd home visit by TDFPS. Found home unsafe for children. <ul style="list-style-type: none"> - ants on the floor & mattress where baby, Mariah, was sleeping - fan in window with no cover leaving blades expose - inside refrigerator, rotten head of lettuce, carton of eggs and plastic container of mayonnaise. Odor of spoiled food - Pantry contained one small can of corn, a box of salt, sauce, a small box of infant mixed cereal, & an empty condiment container. - Strong odor of urine through out the house - All children appeared not bathed. Hair appeared to be matted & dirty. Bodies dirty & strong body odor. - TDFPS removes 7 youngest children & 5 older placed with father (Guadalupe Lucio in Houston, TX) - Melissa Lucio tested for cocaine positive
9/21/04	Children observed: <ul style="list-style-type: none"> - Robert (4yr old) observed with a dime size bruise on his stomach, old scratch on his stomach, 3" long on head injury sustained from falling off the bed - Gabriel (3yr old) observed with bite mark size of 2 quarters in his left shoulder, multiple scratches on his face & multiple insect bites on his arms & legs

	<ul style="list-style-type: none"> - Adriana (2yr old) observed with one inch linear scab on the top of her head back, arms & legs. Body very dirty, with dried feces on her genital areas. - Sara (1yr old) observed with ½ " cold sore on the bottom of her lip & multiple insect bites on her arms, legs, & body. Open circular mark on right side of leg that appeared to be infected with pus. No underwear /diaper. Body dirty & dried feces on her genital area - Mariah (newborn) observed to have tremors every once in a while. Had small light green bruise on her right foot. - Rene (Zavala Elementary) observed with small insect bites on his arms & legs. Strong odor (smelled like old wet clothes) not bathed. - Richard (Zavala Elementary) observed with small insect bites on his arm & legs. Smell like old wet clothes, & not bathed
Approx Dec. 2006 to Jan. 2007	Children reunified with Biological Parents
2/18/07	Emergency Removal: children were picked up from their parents Melissa Lucio & Robert Alvarez due to the death of their 2 year old daughter (Mariah)

Note:

- Neither Melissa nor Robert provide parents names. Not clear if Mr. Alvarez had children previously or if child support owed to children with Melissa.
- Not clear if Melissa siblings are from the same marriage. Melissa's Maiden name is Valencia.
- Appears Melissa contradicts self in some of the documented responses.
- Could it be possible that Mr. Alvarez drown Mariah (We found information where it is documented that he was the last one to see her) ???



Box 5 #1 Part 1 & 2

Mariah Alvarez

D.O.B.	September 06, 2004
Developmental History	<p>Ms. Lucio reports smoking crack – cocaine only once while pregnant with Mariah. No prenatal care with any of her children. Normal vaginal delivery at home because she did not know she was having contractions until the baby was already on it's way.</p> <p>Mr. Alvarez reports delivering the baby in the living room. Mariah born full term natural birth as per Ms. Lucio. Hospital reports showed Mariah was born premature and delivered at home.</p>

Mariah - Foster Home(s)

Date (s)	Foster Parent (s)	Address & Phone #'s	Comments
9/21/04 – 7/5/06	Ramon & Alfonsa Castillo	Rt. 8 Box 622-8 Brownsville TX 78520 956-542-0860	Reported Mariah having tremors that could be associated to her body withdrawing to possible drug exposure
7/6/06 – 7/18/06	Homero & Yuliana Robledo		
7/19/06 – return home	Vicente & Eva Doney	2813 Plumeria 956-412-3912	Judge Ricardo Flores – 107 th Court – assigned. Subsequent placement child initially removed due to drug use & neglectful supervision.

Foster Parents Relevant Notes

Name Of Foster Parents	Ramon & Alfonsa Castillo
Address	Rt. 8 Box 622-8 Brownsville Texas 78520
10/2004	Mariah – every now and then she cries a lot and has her tantrums. Foster mother and Luisito, another foster child in the home, sing to Mariah. Mariah shakes a lot and often has withdrawals.
12/2004	Mariah doesn't have as many tantrums
1/2005	Mariah throws tantrums. Foster parents – “we provide possible, everything for her but she continues to give some attitude”. Noted Mariah having trouble sleeping at night.
2/2005 & 3/2005	Mariah shaking improving. When she cries in anger she twists and turns really bad.
4/2005	Goal: Take away anger because she is very temperamental
Quarterly 1/2005 – 4/2005	In one of the months that include 31 days (Jan. or March), On the 2 nd of the month Mariah taken to Valley Regional Hospital 11 am – 3 pm (No explanation found)
5/2005	Mariah progressing, no regression. Take away anger because she is very temperamental.
6/2005	Mariah still having shaking episodes. She is very angry. Makes a lot of noise when she is angry.
7/2005	Goal: take away anger because she is very temperamental. She started crawling and putting everything in her mouth.
8/2005	Good reports. Mariah attending Rancho del Cielo Headstart.
10/2005	Mariah likes to have severe tantrums due to not getting what she wants in general and she is also very jealous.
11/2005	Mariah – good behavior. She begins to try to walk, but crawling is preferred.
12/30/05	Mariah ,,, have severe tantrums due to not getting what she wants. She throws self to floor and hits herself on the head. Other Children in the foster home included Sara (sister), Carlos, Aaron, and Eliel.

1/2006	Mariah, unprovoked aggression – she bites her peers. She doesn't like any one to touch her she will scream or bite them.
2/2006	Potty training Mariah using Sara, sister, as an example. Other children in the foster home include Carlos, Aaron and Eliel.
3/2006	Noted Mariah self – inflicted injury. Not sharing toys and temper tantrums.
4/2006	Easily frustrated, frequent crying Due to learning to walk she is having trouble (4/28/06)
5/2006	Property destruction – Mariah like to grab & throw toys away if they brake she would laugh. Unprovoked aggression - Getting upset too quick when she doesn't get what she wants in general.
6/06	Other children in foster home included Etel Zavala, Adriana Zavala, Sara & Mariah Alvarez. Maria having severe temper tantrums when she wants a toy or book other kids have. Getting stubborn and hyper causing to provoke peers constantly by fighting or taking toys away from them.
6/19/06	Noted that Mariah with the Castillo until the Month of June

Dora Cackley – Treatment Coordinator Relevant Notes

3/29/05	Observed, Mariah was on a blanket on the floor trying to push herself up with her arms.
4/29/05	Mariah teething (2 teeth) eating pureed and table food.
5/20/05	Mariah doing ok.
6/27/05	Mariah beginning to crawl.
8/11/05	During court hearing, Mariah prefers to be carried by foster mother.
8/25/05	On 8/19/05 Mariah with fever, seen by Dr. Zamir. A blood screen done child with a virus. No meds. To drink plenty of water so virus can leave the body.
9/8/05	Mariah being weaned from bottle at home because at school she drinks milk from a sip cup.
10/13/05	Dr. Sameer saw Mariah for fever & coughing on 10/13/05. Rx amoxicillin, Pred Sod Ph2 HC Tussive Syp.
	ECl sees Mariah at the HeadStart.
11/30/05	Observed Mariah mysterious red rash that appeared overnight on her wrists and neck, as per foster parent.
12/7/05	No significant change.
12/18/05	Mariah likes to eat.
1/4/06	Dr. Zamir saw Mariah 12/26/05 for cough/bronchitis
1/23/06	Mariah is a loving child who throws kisses and wants to hug everyone as per foster parent.
2/14/06	Mariah sat on her mother's lap & ate chips interacted with siblings in court, as per foster parent.
	2/16/06 Dr. Zamir saw Mariah for a cough.
3/08/06	Mariah threw tantrum @ school last week – screamed and not cooperate, as per foster parent.
4/19/06	Mariah vomited on herself after the weekly family visit and had to be bathed. Refuse to drink milk for next 3 days after family visits. She drinks soda and eats junk food at family's house, as per foster parent.
5/02/06	Mariah moody and will not follow the procedures at home, as per foster parent.
7/06/06	Mariah under the care of foster parents Homero and Yuliana Robledo.
	Mariah doing well.
7/19/06	Mariah under the care of foster parents Vicente & Eva Donez.

			12/8/05 Conjunctivitis 3/01/06 Acute Bronchitis 3/16/06 Acute Asthma flu 4/28/06 cough – runny nose acute asthma/ purulent rhinit
10/3/05	Rick Villarreal		
6/4/06	Dr. Y. Patel	100 B Alton Gloor Brownsville TX 78520 956-350-0010	Physical exam 5/23/06 Acute Bronchiolitis Resp. Distress 5/26/06 Slight improvement Tachycardia 5/30/06 Clinically Resolved Bronchitis 6/13/06 Pharyngitis/bronchitis 6/27/06 Referred to Dr. Shena – Orthopedic for in toe and flat feet
6/20/05	Terri Chavez	382 W. Main Raymondville, TX	
6/15/06	Jesse E. Applewhite M.Ed., LPC	RGV # 956-622-9150 Austin # 512-740-6449	Dx: 309.24 Adjustment D/O w/ anxiety Moderate (anxiety, oppositional, anger/aggressive/fighting, bites, enuresis/encopresis)
6/23/06	Melanie McGarh	346-0994	Read to Mariah, do not allow her to "bully" the book tell her "quiet" hands & you keep control.

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Mariah's CPS Service Plans

Date	Narrative (Significant Note)
10/21/04 1/10/05	Placement with sister, Sara, bonded immediately with foster mom. Good baby.
1/10/05 4/10/05	ECl examined every 3 months Mariah misshaped head indicating she was favoring her left side when she was in her crib.
4/10/05 7/7/05	Quiet baby crying upon being hungry.
7/10/05 10/08/05	Good Baby - Progressing
10/08/05 1/06/06	Emotional: Mariah begun to show a temper & out bursts of anger. Mariah drinking milk from cup and sleeps through the night.
1/06/06 4/06/06	Progress Assessment: Mariah starting to say a few words but is still not able to walk on her own. Emotional: Mariah is a happy child who exhibits bursts of anger at times.
4/6/06 7/5/06	Mariah starting to say a few words & is attempting to stand up and walk on her own. 3/23/06 "HeadStart" notified family Mariah had fallen & hit her head, was unresponsive for a few seconds. Dr. Castaneda assessed child, X-rays no injury, Rx Tylenol.
7/5/06 10/5/06	Dr. Y. Patel recommended orthopedic shoes to align Mariah's feet for walking Exhibits bursts of anger when she and another child want same toy. 5/26/06 dental exam & 6/4/06 physical exam

Note: Mariah was in 3 different Foster homes since the time she was removed from her biological parents (9/21/04).

No information found as to why or what happened. As per documentation she was doing fine with the Castillo Family from Sept. 2004 – June 2006. Early July 2006 she was moved with the Robledo Family for about two weeks. It appears that mid July Mariah moved in with the Domez Family until she was reunified with her biological parents.

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4/10/05 7/7/05	Quiet baby crying upon being hungry.
7/10/05 10/08/05	Good Baby - Progressing
10/08/05 1/06/06	Emotional: Mariah begun to show a temper & out bursts of anger. Mariah drinking milk from cup and sleeps through the night.
1/06/06 4/06/06	Progress Assessment: Mariah starting to say a few words but is still not able to walk on her own. Emotional: Mariah is a happy child who exhibits bursts of anger at times.
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7/5/06 10/5/06	Dr. Y. Patel recommended orthopedic shoes to align Mariah's feet for walking Exhibits bursts of anger when she and another child want same toy. 5/26/06 dental exam & 6/4/06 physical exam

Note: Mariah was in 3 different Foster homes since the time she was removed from her biological parents (9/21/04).

No information found as to why or what happened. As per documentation she was doing fine with the Castillo Family from Sept. 2004 – June 2006. Early July 2006 she was moved with the Robledo Family for about two weeks. It appears that mid July Mariah moved in with the Donez Family until she was reunified with her biological parents.

Mariah's CPS Service Plans

Date	Narrative (Significant Note)
10/21/04 1/10/05	Placement with sister, Sara, bonded immediately with foster mom. Good baby.
1/10/05 4/10/05	ECl examined every 3 months Mariah misshaped head indicating she was favoring her left side when she was in her crib.
4/10/05 7/7/05	Quiet baby crying upon being hungry.
7/10/05 10/08/05	Good Baby - Progressing
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7/5/06 10/5/06	Dr. Y. Patel recommended orthopedic shoes to align Mariah's feet for walking Exhibits bursts of anger when she and another child want same toy. 5/26/06 dental exam & 6/4/06 physical exam

Note:

Mariah was in 3 different Foster homes since the time she was removed from her biological parents (9/21/04).

No information found as to why or what happened. As per documentation she was doing fine with the Castillo Family from Sept. 2004 -- June 2006. Early July 2006 she was moved with the Robledo Family for about two weeks. It appears that mid July Mariah moved in with the Donez Family until she was reunified with her biological parents.

**DEFENDANT'S
EXHIBIT**

18

Lucio Case

Intake	Investigation Completed	Recommended Action	Narrative
12/15/2006	12/15/2006	Melissa E. Lucio other	<p><u>Household consists of:</u> Melissa E. Lucio, Paramour, 19 yr. old female, 18 yr. old female, 18 yr. old male, 15 yr. old female, 13 yr. old female, 9 yr. old male, 8 yr. old male, 7 yr. old male, 6 yr. old male, 4 yr. old female, 3 yr. old female, 2 yr. old female & grandson (7 or 8 months)</p> <p>*8 or 9 children in foster care until the last few weeks.</p> <p><u>Issue:</u> housing- family never paid rent deposit or completed all paperwork paramour of client broke lock of electric box to steal electricity and family running extension cord from another apt. aramour stealing furniture from neighbor apts. Apt when found filthy: urine, mess, filthy children, unsupervised children, 18 yr. old allowed to live in apt. when CPS told him not to have access to children.</p>

Grandchild, Isaiah Lucio

Intake	Investigation Completed	Recommended Action	Narrative
7/19/2006	8/18/2006	Melissa Lucio Jr. Case closed due to factors controlled	<p>Primary: Rebecca Lee Olivarez, 17 yr. old mother (Melissa), Melissa Lucio stated that her mother's boyfriend gives them marijuana and beer and mother allows Melissa to consume these drugs. 17 yr. old's baby has gone to hospital often, has trouble breathing and has a rash</p> <p>services provided on 7/27/2006 (Horizon Youth- for 17 yr. old mother.</p> <p>Household Description: Melissa Lucio, client's boyfriend (Gilbert), Melissa Jr.,</p>

			<p>sibling, John and 5 month old baby of Melissa Jr.</p> <p>There are holes, spiders, dogs, chickens, goats, and smells inside house. Rats, flies and maggots inside refrigerator. Melissa, Melissa Jr. and Gilbert do drugs: marijuana and beer.</p>
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Date	Allegation (s)	Outcome (s)	Comments
12/15/2006		Admin. Closure	<p>Admin closure: On Dec. 15, 2006 report received re: John 18 yr. old living at home and has access to siblings. Family has no electricity, according to CPS worker, Angie Romo, she have Mr. Lucio \$600.00 to assist with rent and told Mr. Lucio about John not to have contact with children. Ms. Romo said she has not seen John in the home and says that Lucio, Melissa E. has been clean on drug tests for approx. 6 months. Also, client's boyfriend clean for 4 or 5 drug tests. And home is somewhat chaotic due to size of the family. Case staffed with Maria P. Martinez on-call supervisor) and she advised to document on admin. closure.</p>

Lucio Case

Report	Allegation	Person alleged	People Involved	Outcome
2/17/2007	Physical Abuse Physical Abuse Physical Abuse Physical Abuse Physical Abuse Physical Abuse Physical Abuse Physical Abuse Physical Abuse	Melissa E. Lucio Melissa E. Lucio Melissa E. Lucio Melissa E. Lucio Melissa E. Lucio Melissa E. Lucio Melissa E. Lucio Melissa E. Lucio Melissa E. Lucio	Mariah Alvarez Alexander Lucio Selina Lucio Rene A. Alvarez Richard Alvarez Robert A. Alvarez Gabriel A. Alvarez Adriana C. Alvarez Sara N. Alvarez	<p>*On 2/17/2007 at approx 6:51 P.M. EMS responded to home due to 2 yr. old turning purple and not being able to breath. Purple bruises were observed on 2 yr. old on chest, stomach and face.</p> <p>*Father last person to find 2 yr. old and called 911</p> <p>*2 yr. old transported to VBMC and</p>

				<p>pronounced deceased due to "homicidal injuries"</p> <p>*Parents report that child's injuries were caused from the child falling down a flight of stairs on 2/16/2007 when family was moving to new apartment at 220 e. Madison.</p> <p>*Child had multiple injuries to vital body areas.</p>
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Case notes: cause of death of child

Date	Allegation (s)	Outcome (s)	Comments
	<p>*causing death of child, Mariah. Client claims that child fell off stairs from apartment. child found with bruises and color purple by EMS</p>		

Lucio Case- Foster Homes

Date (s) Period of stay	Child Name	Foster Parent (s)	Comments
9/21/2004- 7/26/2006	Rene Anthony Alvarez	Mr. & Mrs. Benito Rodriguez	Placed in therapeutic foster home.
9/21/2004- 7/26/2006	Richard Alvarez	Mr. & Mrs. Dunlap	Placed in therapeutic foster home.
9/21/2004- 7/26/2006	Robert Anthony Alvarez	Mr. & Mrs. Dunlap	Placed in therapeutic foster home.
9/21/2004- 7/26/2006	Gabriel B. Alvarez	Mr. & Mrs. Dunlap	Placed in therapeutic foster home.
9/21/2004- 7/26/2006	Adriana C. Alvarez	Mr. & Mrs. Dunlap	Placed in therapeutic foster home.
9/21/2004- 7/26/2006	Sara N. Alvarez	Mr. & Mrs. Done	Placed in therapeutic foster home/FPS foster home.
9/21/2004- 7/26/2006	Mariah Alvarez	Mr. & Mrs. Done	Placed in therapeutic foster home/FPS foster home

Mr. Alvarez

Date	Allegation (s)	Outcome (s)	Comments
10/17/2006	Mr. Alvarez is released from jail due to burglary psychological evaluation done by Xavier "Jay" Martinez 2114 West University Edinburg, TX 78539 #380-1300	Roberto Alvarez D.O.B. 7/23/1970 *Referred for psych. Evaluation by CPS for physical neglect and neglectful supervision of their numerous children. When with the children, failure to provide adequate outside supervision, unsanitary conditions at home and disregard for proper nutrition of children *lives with common law wife, Melissa Lucio and her 7 children with her.	*finished school p to 8 th grade and enrolled in special ed. *currently works as mechanic with friend and landscaping *denied history of medical illness *denied history of mental health treatment *reports use of alcohol on special occasions *reports history of marijuana, cocaine and sedative (roaches) and hallucinogen. *overall, mild mental deficiencies are

		*has a 9 yr. old son from a previous relationship *2x in jail due to child support *Mr. Alvarez raised by grandma since mother passed away. * has 3 brothers	indicated *tried to deny common human fault and problems *AXIS I Neglect of Children V 61.21 305.60 Cocaine Abuse 300.4 <u>Dysthymic</u> Disorder, late onset
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Roberto Alvarez

Report	Allegation	Person alleged	People Involved	Outcome
12/15/06	Neglectful Supervision	Roberto Alvarez	Rene Alvarez	Admin. Closure
12/15/06	Neglectful Supervision	Roberto Alvarez	Richard Alvarez	Admin. Closure
12/15/06	Neglectful Supervision	Roberto Alvarez	Robert Alvarez	Admin. Closure
12/15/06	Neglectful Supervision	Roberto Alvarez	Gabriel Alvarez	Admin. Closure
12/15/06	Neglectful Supervision	Roberto Alvarez	Adriana C. Alvarez	Admin. Closure
12/15/06	Neglectful Supervision	Roberto Alvarez	Sara N. Alvarez	Admin. Closure
12/15/06	Neglectful Supervision	Roberto Alvarez	Mariah Alvarez	Admin. Closure
12/15/06	Neglectful Supervision	Roberto Alvarez	Salina Lucio	Admin. Closure
12/15/06	Neglectful Supervision	Roberto Alvarez	Alexander Lucio	Admin. Closure

Lucio Case-Professional (s) Involved

Date (s) Involved	Name of Individual, Title etc.,	Agency / Service	Comment (s)
	Xavier "Jay" Martinez (Licensed Psychologist)	Psychological Evaluation	Roberto Alvarez-received psychological evaluation
	Dense Porter, (therapist)?		Provides therapy to Gabriel B. Alvarez
	Laura Garza		Provides therapy to Rene Alvarez
	Dr. Gutierrez		Treating di___ to Rene Alvarez for behavior concerns, also treating Richard and Robert
	Dr. Erik Valle		Dentist to Richard Alvarez and Robert
	Dr. Camacho		Doctor to Gabriel B. Alvarez and Adriana
	Dr. Richard <u>Commill</u>		Performed psychological on Adriana
	Dr. <u>Centomema</u>	80 W. Ocean Blvd. C-3	Doctor to Sara
	Dr. <u>Carlen Ronan</u>	Los Fresnos (956)233-4400	Doctor to Robert and Andrew Alvarez at 5 years old.
	Richard Commill Ph.D.	207 E. Second Street <u>Campasa</u> , TX 78550 (512) 556-0249	Performed psychological evaluation AXIS I. 314.01 ADHD, combined type 313.81 <u>oppositional defiant</u> defender 995.52 Neglect of child (victim) AXIS II. V71.09 no diagnosis AXIS III. Differed to physician AXIS IV. Psychological stressors included his chaotic and traumatic childhood including reported exposure to neglectful and pathogenic care in his home of origin,

1/27/2005	Dona <u>Cackety</u>	CPS?	<p>his lengthy placement in CPS custody and inadequate support from his biological parents.</p> <p>AXIS V.</p> <p>GAF 55 current</p>
?	<u>Groven C. Lollimn</u>	Oleimn, yonk & Associates PLLC P.O. Box 720879 McAllen, TX 655-7872	<p>As per foster mother, about two weeks ago, heard noises and opened their (foster children) bedroom door. She found Richard on all fours and Rene was behind him licking his buttocks. Robert was trying to pull down Richard's underwear. As per foster mother, all three boys were taken to Monica's House where they were interviewed for possible sexual abuse by family members.</p> <p>It ha been discovered that they have been severely neglected by the parents and witnessed sexual contact of the parents on a regular basis also have possible been sexually abused by an older brother John. I observed from family visits to confirm that the mother could not control her children and my theory won correct. I watched in those visits neglect of younger babies, while she was running around after the elder boys, no parenting or mothering skills are evident. It has come to my attention that she is always positive of illicit drugs in her system. These kids will have a chance to make it if they remain in foster care where they are</p>

			<p>developing positive behavior unlike the biological parents provide. The weakly visits need to stop because they are harmful not helpful to my clients. Unfortunately the children have a lot of behavior modification but there is hope as long as the biological parents are not involved. In my professional opinion, parental right should be terminated, because after this extensive period of time the biological parents have not <u>made not the changes</u> required to deserve their children back.</p>
11/30/2005	Cannot read individual name. (Groven C. Rollins)?	Rollins, York and Associates PLLC	<p>Robert attended counseling session in a somewhat bad mood. Treatment focused on coping abilities. Robert is a victim of sexual abuse and is able to express his feelings about the incident. He is learning that he will be okay and that it is wrong to touch others. More work will be needed in this area.</p>
9/28/2005	Cannot read individual name. (Groven C. Rollins)?	Rollins, York and Associates PLLC	<p>Robert sexually understands why it is important not to touch brother or sisters. Unfortunately, contact with biological parents is negative due to siblings watching parents have sex in front of them.</p>
1/24/2006	Cannot read name	Rollins, York and Associates PLLC	<p>Robert attended session in a somewhat negative state. Treatment focused on appropriate behavior; especially stop pretending he is a girl. Robert has picked up in appropriate behavior and some is due to sexual abuse victimization. Robert</p>

12/20/2005	Cannot read name	Rollins, York and Associates PLLC	makes minimal progress but unstable somewhat. Robert attended community session in a somewhat bad state. Treatment focused on improving behavior and learning that pretending to be a girl is not okay. Robert has recently been displaying a lot of feminine behavior which needs to be corrected. More work is needed or no progress is noted at this time.
12/31/2004	Cannot read name	Rollins, York and Associates PLLC P.O.Box 720879 McAllen, TX 78504 #655-4015	AXIS I. 304.4 Adjustment emotions AXIS II. 799.9 Deferred AXIS III. Name AXIS IV. Victim Abuse AXIS V. GAP 68 Treatment goals: #1 Improve behavior #2 Develop positive sexual knowledge #3 Appropriate social skills
1/31/2006	Cannot read name	Rollins, York and Associates PLLC	Robert attended counseling session in a somewhat angry state. Treatment focused on improving decision making skills. Robert is slowly making progress, but frequent visits with biological family create regressive behavior. More work needed

**Lucio Case-Foster Parents Notes/Professionals Involved
(Robert Alvarez)**

Date (s) Involved	Name of Individual, Title etc.,	Agency / Service	Comment (s)
	Mr. & Mrs. Dunlap	Foster parents	Visits with mom and dad very disruptive since mother tells children that they are going home: kids cuss and fight among each other.

			<p>Mom favors one child over the others. Gabriel fights and hits mom on weekly visits. Mom sends message to foster parents that they should not bring Gabriel to visits anymore and that she does not want him. Robert is encouraged to dance and act like a girl and laugh at him. Mom talks to the visits two older siblings who are not income and who have children of their own and the younger sibling's baby sit these children. Adriana never gets any attention she cries and does her own thing all these negative visits affect the way the kids behave in foster care. Mother tells kids they are going home on every visit and they don't have to listen to foster parents.</p> <p>Bobby angry with foster mom due to having to come home after every visit- aggressive behavior: kicking and calling kids "niggers", pees outside toilet bowl and in shower, bed wets at night, fights with Gabriel over ____ foster ____, gets n Gabriel's bed.</p> <p>Wants to hit everyone, angry, bothers Gabriel and Richard not letting them sleep (jumps from bed to bed). Broken toys, kicks wall, steals toys. Provokes other kids by calling kids names such as "nigger".</p> <p>As per foster mother, Bobby is showing new progress, but he is vile, explosive and</p>
	Mr. & Mrs. Dunlap	Foster parents	
4/29/2005	Dona Cackley	CPS	

4/28/2005	Dr. Gutierrez, Psychiatrist		aggressive. Continues to wet bed and after he returns from home visits. He is so active because of all the sugary snacks his parents give him that it takes 2 to 3 days for him to calm down and fallow the structure at home. Was providing medications: <u>Concenta</u> 36 mg <u>Doallp</u> 0.2 mg <u>Clomidine</u> 0.1 mg
5/19/2005	Dr. <u>Romen</u> Camacho	#233-4709	
4/12/2005	Dr. Sellons	#233-4400	
	Gary White, M.D.	Brownsville Health Services 954 E. Madison Brownsville, TX #550-9970 Rollins, York and Associates PLLC P.O.Box 720879 McAllen, TX 78504 #655-4015	Counseling to Robert Alvarez
12/02/2004	Dr. M. De Fenneine 1418 Beech Ave. Ste.104 McAllen, TX 78501 #688-6229	Psychiatric evaluation	AXIS I 314.01 Attention Deficit/ Hyperactivity Disorder. Combined type. 995.5 Neglect of a child V61.20 Parent Child Relational Problem V61.8 Sibling Relational Problem V62.81 Relational Problem NO5 AXIS II V71.09 No diagnosis AXIS III Nom AXIS IV Problems with primary support system Problems related to social environment Housing problems: foster home

7/28/2006	Jesse E. Applewhite, MED.LPC	Burke Foundation #622-9150	Economic problems: poverty involvement: TDFPS-CPS AXIS V GAF 50 Current *Dunlap family (mother) states that Robert's symptoms have not diminished. *Robert states that he has not played with girl toys since yesterday, he has been respecting other's bodies and property and has not touched or been touched inappropriately by anyone.
8/5/2006	Jesse E. Applewhite, MED.LPC	Blake Foundation #622-9150	*According to foster mother, child has had some sexual acting out behaviors with brothers where they climb on each other...sometimes puts toys under his shirt in his chest area.
10/4/2006	Villarreal Elementary Los Fresnos, TX Over the Rainbow	Denis Porter, LPC	Robert Alvarez went to school here *Fights with other kids, very possessive of things, hits siblings, cries easily, want to be a girl or he has expressed this.
10/6/2006	Over the Rainbow	Denis Porter, LPC	*Oppositional and defiant, aggressive and disorganized. Played with dolls as usual, continues to act our before and after the visit. *it will take time to overcome what he has been through, visits one <u>sumingly</u> detrimental to his adjustment to foster care and should be decreased.
	Mrs. Dunlap, foster mother, states that Robert is very hyper, needs to be re directed from fighting with younger siblings, fights for toys, food, etc. Robert has bed wetting accidents like his older brothers.		<u>Worker's Impressions:</u> Robert is very close to his older siblings and he is very quiet and shy. Also, he is protective of his younger siblings.

Lucio Case- Service Plans
(Sara N. Alvarez)

Service Plan	Date Submitted	Goal	Narrative
Sara Nicole Alvarez	11/15/2006	Family reunification on alternative family relative adoption	Sara tested positive for cocaine at birth. Mother did not receive prenatal care. Sarah in foster care with the Castillo family. Mrs. Castillo reports Sara putting everything she finds in her mouth. She loves to be carried. She enjoys receiving attention from strangers and tends to run up to them without fear. She does not seem to be able to distinguish between a stranger and familiar faces when it comes to receiving attention. Sara was sick when initially brought to foster care. She had a severe cold, running nose and congestion. She also had numerous bruises throughout her body.

Lucio Case-Services Provided
(Sara N. Alvarez)

Date	Who was referred	Type of Service	Referred by and date of referral	Comments
12/8/2005	Sara Alvarez	Due to allergic irritation of eyes taken to: Dr. <u>Asim Zamir</u> 4430 E. 14 th St. Brownsville, TX. 78520 #544-5557		

Lucio Case-Foster Homes
(Sara N. Alvarez)

Admission Date	Foster Parent (s)	Address & Phone #'s	Comments
9/21/2004	Ramon & <u>Alifomna</u> Castillo	Rt 8 Box 622-8 Brownsville, Tx.78520	

12/2005	Mr. & Mrs. Castillo	Rt 8 Box 622-8 Brownsville, Tx. 78520	*throws things on the floor *aggressive while playing with peers *very stubborn when re-directed, especially after visits with biological parents. *careless when walking, running indoors, does not pay attention and keeps hitting things that are in the way.
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Lucio Case-Professional (s) Involved
(Sara N. Alvarez)

Date (s) Involved	Name of Individual, Title etc.,	Agency / Service	Comment (s)
12/3/2004	Melanie McGrath M.S., CCC-SLP	ECI	*receiving services for speech and physical therapy.
9/16/2005		Head start Program Neighbors in Need of Services(NINOS)	*staff-parent consequence regarding Sara's temper tantrums at school and she does not accept any commands and she does not share toys.
12/3/2004			*Sarah demonstrates delays in receptive language development at this time. Expressive abilities appear to be delayed as well. Sarah is communicating her wants and needs by pointing.
8/29/2005	Richard Cornell, PH.D.	Psychiatric Evaluation	*recommended speech therapy 2x a month *Psychiatric evaluation- As can be seen by examining Sara's Vineland score, she evidences mild to moderate deficits in all areas of adaptive functioning AXIS I: 309.4 Adjustment Disorder, with mixed disturbance of emotions and conduct chronic AXIS II: V71.09 No diagnosis-ruled out borderline intellectual functioning

10/25/2005	Dona Cackley	<p>AXIS III: Asthma , by history AXIS IV: Psycho social include her chaotic and traumatic childhood, her home original, her continued family visits, and inadequate support for her biological parents. AXIS V: GAF=65 current *As per foster mother, Sara has been self mutilating by scratching herself on her face when she becomes angry. As per foster mother, Sara has tantrums at school and throws her shoes at others. She takes off her clothes and pulls at her genital area when she is frustrated/stressed.. She has bitten and hit her teacher at the Head Start.</p>
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1 THE STATE OF TEXAS:

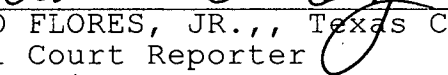
2 COUNTY OF HIDALGO:

3 CERTIFICATE OF COURT REPORTER

4 I, ADELAIDO FLORES, JR, Official Court Reporter in
5 and for the 430th Judicial District Court of Hidalgo
6 County, State of Texas, do hereby certify that the above
7 and foregoing contains a true and correct transcription of
8 all portions of evidence and other proceedings requested
9 in writing by counsel for the parties to be included in
10 this volume of the Reporter's Record, in the
11 above-entitled and numbered cause, all of which occurred
12 in open court or in chambers and were reported by me.

13 I further certify that this Reporter's Record of the
14 proceedings truly and correctly reflects the exhibits, if
15 any, admitted by the respective parties.

16 WITNESS MY OFFICIAL HAND on this the 7th day of July,
17 2009.

18 
19 ADELAIDO FLORES, JR., Texas CSR
20 Official Court Reporter
21 430th District Court
22 111 SO. 9th Street
23 Edinburg, Texas 78539
24 (956) 318-2900
25 Certificate No. 1117
Expiration Date: 12/31/10

Adelaido Flores, Jr.
Certified Shorthand Reporter